

CITY OF WEST LAFAYETTE
COMMON COUNCIL
MINUTES
AUGUST 3, 2015

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on August 3, 2015, at the hour of 6:30 p.m.

Mayor Dennis called the meeting to order and presided.

The Pledge of Allegiance was repeated.

Present: Bunder, Burch, DeBoer, Dietrich, Hunt, Keen, and Thomas.

Also present were City Attorney Burns, Clerk-Treasurer Rhodes, IT Director Alexander, Public Works Director Buck, Facilities Director Clark, Police Chief Dombkowski, Parks Superintendent Fawley, Human Resources Director Foster, WWTU Director Henderson, Street Commissioner Payne, Director of Development Poole, and Deputy Fire Chief Schutter.

Sagamore of the Wabash Award

Mayor Dennis stated that we are going to break from the printed agenda because a special guest, State Representative Randy Truitt, is here to bestow an honor upon one of our Councilors.

Randy Truitt, State Representative for District 26, presented the Sagamore of the Wabash award to Councilor Dietrich, on behalf of the Governor of the State of Indiana and District 26. He noted that he the award was actually from 2013.

Councilor Dietrich expressed his appreciation.

Mayor Dennis shared a story from when he and Councilor Dietrich worked together as police officers. He stated that there are leaders, and there are people who understand leadership, and Councilor Dietrich understands leadership. He knows how to provide guidance, supervision, and motivation to make sure that his staff does what is best. Mayor Dennis stated that it was his honor to work both with and for Councilor Dietrich, and there could not be a better recipient for a Sagamore award.

NEW BUSINESS:

Ordinance No. 22-15 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect (Chauncey Construction, LLC.) (Alpha Omicron Pi PD) (R3W to PDRS) (Submitted by Area Plan Commission)

Mayor Dennis read Ordinance No. 22-15 by title only.

Councilor Keen moved for passage of Ordinance No. 22-15 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Councilor DeBoer stated that he has some serious concerns about this project, given the nature of the neighborhood. He stated that the entire area there is apartments, and we have been building mixed-use property there. Grant Street Station will have restaurants or retail on the

bottom. This appears to be the furthest southern Greek house in the area, and he stated that he is not sure it belongs in the south campus area. He stated that he is hesitant and wonders why this is here compared to an apartment building or any other use for the land.

Dan Teder (Reiling Teder & Schrier, LLC), representing the petitioner, stated that they have spent a lot of time and effort going through the planned development process. There has been input from the Area Plan Commission (APC), the Engineer's Office, Redevelopment Commission (RDC), Police, and Fire. Also, for the first time, they met with the Interlocal Cooperation Board for the City and Purdue, to see how this impacts Purdue for that area of campus.

Councilor DeBoer asked if there are any students on that Board.

City Attorney Burns responded that there is not. The Joint Board is comprised of three City designees and three Purdue designees.

Mr. Teder stated that the thought at the meeting was that there is a lot of compatibility to have a sorority in that area. He stated that perhaps a fraternity might be somewhat different, but there is still somewhat of a fraternity row on North River Road surrounded by housing which has been a compatible issue that has worked well. He stated that in talking to fraternities and sororities, they want that intermingling with other students; they do not want to be out away from them. He stated that the sorority is well monitored and a housemother will live there. He stated that being away from the neighborhoods is in days the past and we are coming to something new.

Councilor DeBoer stated that we are only coming to something new if we approve this, or if we approve any kind of Greek life in the south campus area.

Mr. Teder stated not necessarily, because it has already been done on North River Road with the same sort of thing. It is just another section of campus. He stated that he thinks it is very compatible. To be segregated out away from the neighborhoods has not worked in the past and has caused a lot of issues. He stated his belief that those days are behind us and this is something very positive.

Councilor DeBoer stated that he is concerned that this will obstruct our goal of trying to urbanize that area, to increase the density, and decrease the parking. This place has approximately 15% more parking than any place we have approved for student housing in a while, and he thinks that is too much to begin with. He stated that he has resistance to this idea as it might cause a slippery slope and that instead of building nice apartments and revitalizing the area, we could see an influx of this. He stated that he feels a great deal of apprehension about that.

Mr. Teder stated that if Councilor DeBoer looks at the drawing and what is already built there, they are compatible with each other. This is tearing down three converted single-family homes, taking a corner that is tired and worn-out, and putting a beautiful building on it that is compatible with what is there. He stated that the Greek system is coming back. It had faltered a while back, and he feels that it is partly due to the isolation they all had. Now it will be in the neighborhood. He stated that he does not think it will affect the ability for apartments to come in that area in the future. He stated that this will take away 22 beds to add 60 beds, plus the housemother, so it is increasing density, and there is room for more apartments to come in the future. He stated that the people who have come to him about doing development in the area have not given a negative impact on this.

Councilor DeBoer confirmed with Mr. Teder that it is 15 bedrooms for 60 individuals. He stated that he does not know about the Greek system, but that seems high anywhere else.

Mr. Teder stated that in the old days the Greek system was an open-air dorm and the fraternities had between 50 and 75 guys. Sixty today for an organization like this is different than it was in the past. He stated that he understands the concerns, but he does not see any negative impact on what the developers will do for students in the future.

Councilor Burch stated that there are 10 parking spaces provided off-site in Purdue's McCutcheon parking garage. She asked where that parking garage is, and Councilor Dietrich responded that it is at 3rd Street and McCutcheon Drive.

Mr. Teder stated that one thing he thought about is what has been done here in the past and what has been the format the Council has seen. He stated that he looked at South Street Station, which is one of the most recent developments he had brought to the Council. The parking ratio on that project was 0.63 per bed, and 1.175 per unit. The parking ratio on this project will be approximately 0.6 without the Purdue parking garage and 0.75 with the garage. The parking ratio per unit will be 2.1 without the garage, and 2.8 with the garage. He stated that it fits into what has been presented in the past, and he thinks that they excelled on that issue. He stated that the requirement for parking under the Unified Zoning Ordinance is 0.75, and the reason is that they live in a group, making the need less than in the apartment building. He stated that with what will be built and the impact seen from other developers coming in, he sees nothing negative with this.

Councilor Burch stated that she thinks this will be a nice addition to the Grant Street Station development.

Councilor Hunt asked Deputy Fire Chief Schutter to talk about the inspection done for parking, the type of sprinkling, and the occupancy safety of four persons per bedroom.

Deputy Chief Schutter responded that everything meets code as far as the building with occupancy. The parking garage underneath is going to be sprinkled, which is no different from any other project we have done. He stated that everything the Fire Department has looked at on this project so far as met or exceeded what they expected.

Mr. Teder stated that a difference between a fraternity and sorority, at least for this one, is that they are going to have an apartment for the housemother to live in. It is more on-site responsibility that may not be there with another organization.

Councilor Hunt noted that there is a neighborhood association in the Island and she thinks that everyone that comes is a housemother, though she thinks the new term is house manager. She stated that they are interested in what goes on in the City, including the sidewalks and the lighting.

Councilor Dietrich asked for confirmation that if the Perimeter Parkway project goes through, Harrison Street is one of those designated roads, and Public Works Director Buck confirmed that it is. Councilor Dietrich asked if Director Buck sees any impact on this project, or anything the Council should look for on future projects, for those Perimeter roads that the Council should be concerned about.

Director Buck responded not that he is aware of currently. He stated that the Perimeter Parkway provisions are made for it if it goes through here. Right now the plan is that it may take

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a slightly different alignment and not go through that intersection. He stated that it is somewhat in flux, but they have tried to be careful with this proposal so it can accommodate no matter what happens.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer		✓		
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 6 AYES and 1 NAY.

Mayor Dennis announced that Ordinance No. 22-15 passed on first and final reading.

PUBLIC RELATIONS:

a. Retirement Recognition for K-9 Rico – Police

Mayor Dennis stated that we will move around the agenda again to accommodate the large number of supporters here for the retirement recognition of K-9 Rico.

Police Chief Dombkowski spoke about how the K-9 program has become a large part of what the Police Department does. He stated that some of the things the officers do would be hard to do safely in the manner that we have been asked to police these days without our partners from the K-9 world. He asked Officer Brewer, Rico's handler, to bring Rico up.

Officer Brewer spoke of Rico's history of 7.5 years with the Police Department, stating that Rico was deployed approximately 300 times with over 100 arrests. He confirmed for Mayor Dennis that Rico is a nose-dog.

Mayor Dennis spoke of his positive experience working with a K-9. He noted that at that time K-9s were trained differently for crowd control. He stated that anyone who has ever worked with a K-9 knows that they are not just a trained animal—they are your partner. They are as much a part of the police team as other fellow officers.

Chief Dombkowski stated that there will be a request at tomorrow's Board of Works meeting for approval to formalize Rico's retirement into the hands of Officer Brewer, where he can continue to live with his family in retirement.

MINUTES

Councilor Keen moved for acceptance of the minutes of the July 2, 2015, Pre-Council Meeting, and the July 6, 2015, Common Council Meeting. Councilor Burch seconded the motion, and the motion passed by voice vote.

COMMITTEE STANDING REPORTS

STREET, SANITATION, AND WASTEWATER TREATMENT UTILITY

Councilor Bunder presented this report, which will be on file in the Clerk-Treasurer's Office.

Councilor Dietrich stated that he wants to applaud the Street Department for keeping up with services in his neighborhood, even around all the barricades. He asked that someone look at the Happy Hollow hill as there is an area where weeds may be an issue.

Councilor Burch asked if there will be a dedicated left-hand turn lane at the intersection of River Road, turning onto Happy Hollow Road when it is open.

Director Buck responded that there will be two lanes. One for left-turning traffic and one for straight.

PUBLIC SAFETY AND ORDINANCE

Councilor Keen presented this report, which will be on file in the Clerk-Treasurer's Office.

PURDUE RELATIONS

Councilor DeBoer reported on events at Purdue University.

PARKS AND RECREATION

Councilor Hunt presented this report, which will be on file in the Clerk-Treasurer's Office.

ECONOMIC DEVELOPMENT

Councilor Thomas presented this report, which will be on file in the Clerk-Treasurer's Office.

PERSONNEL

Councilor Burch presented this report, which will be on file in the Clerk-Treasurer's Office.

BUDGET AND FINANCE

There was no report.

REPORT OF APC REPRESENTATIVE

Councilor Keen reported that there will be two items on the August 19 APC agenda that will impact West Lafayette. One is a rezone for ZAC, LLC from NB to RW3, the second is a rezone for Citation Homes from R3 to GB. Both of these rezones are in the Cumberland Avenue, US 231 area.

SPECIAL REPORTS: None

PUBLIC RELATIONS (Continued):

b. Beautification Award

Councilor DeBoer presented that Beatification Award to the Town & Gown Bistro. He spoke about the landscape surrounding the bistro and the gardening talents of proprietor Matt O'Neill. Mr. O'Neill expressed his thanks.

FINANCIAL REPORT

There was no report.

LEGAL REPORT

City Attorney Burns stated that this report is on file.

UNFINISHED BUSINESS:

Ordinance No. 20-15 An Ordinance Abolishing The Non-Reverting Capital Pool Fund (Sponsored by Mayor Dennis)

Mayor Dennis read Ordinance No. 20-15 by title only.

Councilor Keen moved for passage of Ordinance No. 20-15 on second and final reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis reviewed that this is basically putting the revenue into one pile for more flexibility.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 20-15 passed on second and final reading.

NEW BUSINESS (Continued):

Ordinance No. 23-15 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect (Sagamore Commons, LLC.) (OR to GB) (Submitted by Area Plan Commission)

Mayor Dennis read Ordinance No. 23-15 by title only.

Councilor Keen moved for passage of Ordinance No. 23-15 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Councilor Burch stated that there is nothing in this location now, but asked if it is correct that we will probably put in six or seven commercial properties.

Joe Bumbleburg (Ball Eggleston PC), representing the petitioner, responded that right now we have one commercial property, but there are five lots across the front and a larger area in the back yet to be developed.

Councilor Burch asked if they would be paying property taxes.

Mr. Bumbleburg stated that he would think so.

Councilor Burch asked if it is known how many people these future developments might employ, and at what wage.

Mr. Bumbleburg responded that he does not know about that.

Councilor Bunder stated that he was at the APC meeting, and he is taken with the staff comments regarding access to this property from Sagamore Parkway. He quoted from the

report, "Staff has serious concerns about the safety and adequacy of the access from Sagamore Parkway for the future uses of this site, especially if rezoned to GB. The number of potential commercial uses increases greatly between OR and GB zoning, plus this section of Sagamore Parkway is heavily traveled. The average daily traffic counts taken in 2013 to the north and south along Sagamore Parkway were 29,746 and 32,655 vehicles, respectively. There is an existing break in the median of this four lane street that lines up with the proposed entrance, but it appears to be undersized for the heavy traffic along this road. The recorded documents establishing the three access openings are by court order, and staff believes that the locations and dimensions of these openings may not be changed." He continued quoting later in the report, "Staff strongly encourages finding a way to add access to this property from Cumberland Avenue. Although space is tight, there may be room for a road connection between the church and hotel properties. The subdivision preliminary plat does show a private driveway connection from the new internal street's south turnaround to the adjoining commercial property, between Applebee's and the hotel." Councilor Bunder stated that all of you have driven up this road, and know what is going to happen without a further traffic study. He stated that the staff recommended continuance of this. He spoke of foreseeing issues when a vehicle is making a cautious left-turn into this location while traffic is coming through the light at Win Hentschel Boulevard. He stated that it is difficult to vote for this without a further traffic study. He stated that we are inviting that accident, and afterwards will be questioned. He stated that maybe it should be looked at before we approve this instead of after the first big accident, and that is his concern.

Councilor Dietrich stated that he also shares the concern of the APC staff about access here. He stated that, taking numbers off the APC report, it is approximately 1650 feet from the Win Hentschel light to the Cumberland light. He stated that adding another ingress point to that spot seems dicey to him to begin with. There was talk about the potential of three different access points from there, which would be 500 feet apart. He asked Deputy Police Chief Leroux to speak about the traffic flow in that area, with the volume, on that type of egress.

Deputy Chief Leroux stated that he would not be in favor of three ingress/egress points for this property. He does not want to speak on engineering terms, but from a safety standpoint three points would be concerning. He expressed that he would not be as concerned over one point between Win Hentschel and Cumberland, as he feels that it can be built and designed properly. He stated that maybe timing of signals help. He stated that one thing that might concern him more is that if there is not some type of control there, is what will motorists do anyway. He questioned if the motorists would cause more or different conflicts at current intersections that we have which are as unsafe or more unsafe. He stated that three points he is not in favor of, and he believes one point needs more study to see what the volumes are.

Councilor Dietrich asked if Deputy Chief Leroux would be comfortable comparing his concern of safety under that drawing to an access road, as described from APC as coming in from the west side of Applebee's.

Deputy Chief Leroux stated that depending on where that outlets into Cumberland, it would preferable over Sagamore Parkway. He stated that there is also an issue there as it is getting to be well-traveled. It has some geometrics with curves to the west. There are issues at both places. Cumberland is the preference but he will not say that Sagamore Parkway will not work without some addition study. He stated that is why we have the APC and Director Buck.

Councilor Dietrich stated that he has those concerns and the changing to General Business. General Business opens it up to a lot of things that would not be preferential there.

Mr. Bumbleburg stated that regarding the comments about three points, they have already said that there will not be three cuts there, even though the original plan created by INDOT has three on it. He stated that is not in the question at this point.

Councilor Dietrich stated that he understands that the plans do not include three now. He stated that we have seen it come up time and time again where things change. He stated that as long as three are allowable we have to work off that.

Mr. Bumbleburg stated that the APC on the preliminary plan has already put limited access on our side of the road so that those driveways could not be there.

Councilor Dietrich stated that his understanding was that there was verbiage about court order, and they were not sure they could do that or not.

Mr. Bumbleburg stated that the court order really only has anything to do with the center one, and the staff has already taken the position that the court order cannot be changed.

Councilor Bunder stated that he thinks this is not ready yet and that we need to know more about the traffic.

Councilor Dietrich asked if tabling is an option as opposed to voting it down.

Councilor Hunt asked if there is a time we have to take action.

Sallie Fahey, Executive Director, Area Plan Commission, stated that if the Council does not act within 90 days from the certification letter regarding the APC vote, then after 90 days without an action the APCs recommendation stands as approved.

Councilor Hunt asked if it goes back to the APC in those 90 days.

APC Executive Director Fahey responded no.

Councilor Bunder stated that he would happy to move to table this.

Councilor Dietrich stated that even though he brought it up, he would argue against that under the circumstances that if we do not take definitive action it goes through and is approved by default. He stated that he thinks that Council needs to make a statement on this. He confirmed that the date of the letter we are working with is July 16.

Mayor Dennis stated that the Council could revisit this.

Mr. Bumbleburg stated that to make it easy let us withdraw this. He stated that Mr. Fehribach, who is the expert on traffic, has indicated that he can do a reasonable study in 30 days.

Councilor Dietrich asked APC Executive Director Fahey if that impacts the decision she just talked about, and Ms. Fahey responded no.

Councilor Bunder stated that he continues his motion to table. Councilor Dietrich seconded the motion. Councilor Bunder confirmed for City Attorney Burns that he intends to table it to the next regular Council meeting.

The motion passed by voice vote.

Mayor Dennis stated that Ordinance No. 23-15 has been tabled.

Ordinance No. 24-15 To Amend Certain Portions Of The Unified Zoning Ordinance Of Tippecanoe County, Indiana, Designating The Time When The Same Shall Take Effect (New Chauncey Neighborhood) (Submitted by Area Plan Commission)

Mayor Dennis read Ordinance No. 24-15 by title only.

Councilor Keen moved for passage of Ordinance No. 24-15 on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

APC Executive Director Fahey stated that she is in the unusual position of being the petitioner as well representing the APC for this item. She stated that this neighborhood zoning request represents Step 2 of 3 in a long, but worthwhile, process for the New Chauncey neighborhood. Step 1 was the land use plan. Step 2 is this rezone for the neighborhood which uses the zoning tools that we have at our disposal at the moment. She explained that it will get the neighborhood partly toward implementing its land use plan, but not all of the way. The third step, which is currently in process, would be to create a form-based code. This would help the neighborhood to continue to achieve the historic development standards that make it an architecturally interesting place to live. That form-based code is in process for a historic centennial neighborhood which is at the third phase of their process. She stated that it is taking a while, not just because of the form code standards, but the entire process is being developed with the first one. She stated that it is our belief that by the time we get through that one, then doing New Chauncey will just be a matter of adjusting the form codes themselves to satisfy the needs of New Chauncey. She stated that tonight's rezone is the first zoning step toward implementing the neighborhood plan. She stated that the APC voted 11 in favor and 0 against. In addition, they approved for the Council to consider an agreement that the Steering Committee recommended, and the full Commission agreed, and that is that fully implementing the land use plan will not be ripe until we have form-based codes. She stated that it potentially includes some increased density once there are forms that would control the way that development and redevelopment would work. She stated that this statement essentially says that as the APC is doing the form-based code and we have those pieces of the architectural puzzle in place, then it may be appropriate to look at some of these properties for a little higher density and a zoning district because the form would help control that.

Clerk-Treasurer Rhodes stated that the agreement was sent as a separate item, not necessarily as an attachment to the ordinance.

APC Executive Director Fahey stated that is correct. She explained that there is not a mechanism to attach something like this to the ordinance. It is a recommendation to the Council, if City Attorney Burns agrees, that it may be a separate vote on that agreement just to put it in the record that the Council agrees that a second look at this during the form-based code process might be in order.

Clerk-Treasurer Rhodes stated that we can include the agreement in the permanent records of the City, but if it is an agreement that the Council is entering into then she needs to understand if the formal agreement is with the APC or jointly with the New Chauncey Neighborhood Steering Committee.

APC Executive Director Fahey stated that it is not an agreement in that sense.

City Attorney Burns asked who would be able to enforce it.

APC Executive Director Fahey responded that there is no enforcement. She stated that maybe an acknowledgement would have been a better term than agreement.

City Attorney Burns asked for conformation that it would be non-binding on the Council, and APC Executive Director Fahey confirmed that is correct. City Attorney Burns stated that he does not think it needs to have anything other than the fact that the Council approves it at this point and he suggests a voice resolution to approve it. It is, again, not binding on future Councils, but it would stand as an important statement from this one. He stated that he agrees with a second motion to approve the agreement so it is in the record after the vote on the ordinance.

Clerk-Treasurer Rhodes asked if it would be appropriate to have a resolution prepared for the next meeting.

City Attorney Burns responded yes, and stated that he would vote it in and then we could get the resolution put together and have it signed. It does not need to be voted on again as long as it is resolved at this meeting.

APC Executive Director Fahey stated that she can work with Clerk-Treasurer Rhodes to develop that and have City Attorney Burns take a look at it.

Councilor Burch asked when the Council will see this form-based code proposal.

APC Executive Director Fahey stated that she cannot give an exact date because it has not been worked on yet for New Chauncey. In August or September they will probably have a discussion draft for the centennial neighborhood, so it will probably be close to the end of the year or the beginning of 2016 for New Chauncey.

Mayor Dennis stated that we get a lot of requests about the timelines of implementations of so many actions on the APC, but they only have so many staff members and a lot of activity.

Councilor Bunder stated that this is like watching your kid graduate from high school and waiting to see how they do in college. He stated that this has been a six-year process. He stated that he would be remiss if he did not thank Dr. Carl Griffin for kicking this off six years ago when he suggested that the Council request the land use plan. Councilor Bunder stated that at the time the impetus was where peripatetic Wang Hall would land. He stated that it has been a long process and it is a new thing. West Lafayette is doing a lot of new and interesting things, and this is a new and interesting thing to attempt to give definition to a neighborhood. He stated that it is also complimentary to the Historic Preservation Commission. He stated that the staff has worked very hard, and APC Assistant Director Ryan O'Gara deserves a tremendous amount of credit for the work he has put into this project and in generating the form-based code. He stated that he is excited about this and happy to endorse it.

Mayor Dennis stated that Councilor Bunder should not sell himself short as he has put in a mountain of work to get to this point. He stated that Councilor Bunder gets a lot of input from his constituents, and he is a true public servant when it comes to serving them. This is one of those projects that Councilor Bunder has been intimately involved with for six years.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

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	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 24-15 passed on first and final reading.

City Attorney Burns stated that he would suggest the proper form of a resolution would be that the Council approve the New Chauncey Neighborhood R2U Agreement, which is included in the agenda items for this ordinance.

Councilor Keen moved to approve the New Chauncey Neighborhood R2U Agreement. The motion was seconded by Councilor Burch, and the motion passed by voice vote.

Ordinance No. 25-15 An Ordinance Requesting An Additional Appropriation And Reduction To The 2015 Budget (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 25-15 by title only.

Councilor Keen moved for passage of Ordinance No. 25-15 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Clerk-Treasurer Rhodes stated that she is asking for a reshaping of the 2015 budget. She explained that now that we are mid-way through the year, there are personnel items that need to be increased for the Office of the Mayor and the Fire Department while there is excess funding for the Police Department in the General Fund. She stated that the second portion of this ordinance is to accomplish the combination of the Park Non-Reverting Capital Pool Fund with the Parks and Recreation Fund. The unexpended appropriations current in the Parks Non-Reverting Capital Pool Fund are hereby appropriated in the Parks and Recreation Fund while the cash balance of that fund will be transferred pursuant to the earlier ordinance. The overall impact on the City budget is neutral. We are not increasing the budget in the General Fund. We are simply reallocating it. On the Parks side we are going to be reducing a budget that we no longer have a use for, and placing that budget in the fund from which we will make expenditures. She stated that this will require a public hearing and a second reading at the next meeting.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			

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	AYE	NAY	ABSENT	ABSTAIN
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 25-15 passed on first reading.

Ordinance No. 26-15 An Ordinance Setting The 2016 City Budget And Setting The 2016 Tax Levy On Property And Tax Rate (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 26-15 by title only.

Councilor Keen moved for passage of Ordinance No. 26-15 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Mayor Dennis thanked the Councilors who participated in the budget process. He stated that we have been doing this together for approximately eight years, and he remembers some of the questions at the beginning about department operations, the way the money was spent, and some of the products they were buying. Each time we hold these work sessions it is informative on the part of the Council because it gives the department heads not only the opportunity to sell their department, but also to explain in detail some of the minutiae of their operations. He stated that he thinks that gives the Council a better respect for some of the things the departments do. He thanked the department heads for the time and effort they put into the budgets.

Clerk-Treasurer Rhodes stated that she wants to comment, as she does every year, about the preparation of the ordinance. She stated that the Council has received the budget forms that are produced by the Gateway. Those forms are the official budget. When we prepare the budget we need to start at the top, high, because during the process the budget can only get smaller. Our typical conventions are to add greater amounts to the budget than we expect to receive in the levy. Also, to reduce the estimated assessed valuation. The effect of these is to give us the greatest flexibility in making the final allocation of the budget, either at the end of this year or early next year when the budget orders are produced. She stated that the effect on the public is that they see a very high tax rate advertised and they see very large levy. The advertised levy is well in excess of \$1 million over what we will receive, and the tax rate is correspondingly much higher. She stated that she wanted to remind the Council and the public of this practice, which is standard practice in Indiana in order to deal with the budget process at the point at which local units have an opportunity to make any changes. She stated that the first vote on the budget will be this evening. We will have a public hearing at the September 8 meeting. The final vote will be at the October 5 meeting. In-between we will have a non-binding County Council review of our budget.

Mayor Dennis stated that he at Clerk-Treasurer Rhodes have been through this process for a while together. He thanked Clerk-Treasurer Rhodes, saying that it never ceases to amaze him how exacting Clerk-Treasurer Rhodes is, how informed she is, and how she knows not just the budget process, but the expenditures, the State Board of Accounts, accounting principles, Department of Local Government Finance, the law, and the community. He stated that time after time Clerk-Treasurer Rhodes makes him look good. He stated that he will miss Clerk-Treasurer Rhodes when it comes time to dealing with money and finances, and she truly has

been if not one of the, but the best Clerk-Treasurers in the State of Indiana. He stated that this City will notice her absence.

Clerk-Treasurer Rhodes thanked Mayor Dennis. She stated that as the department heads, Mayor Dennis, and she all work together on this budget, there is a lot of give and take. In the end, for the taxpayers of the City, sometimes we do not see the forest for the trees. With the growth of the City she feels confident that the tax rate of the City will be lower next year. Given the magnitude of the growth of the City, the increase in the budget is, in her opinion, moderate. She stated that it takes a lot of work to get it to work right for Mayor Dennis and his departments, and to get it to work right for the taxpayers. She stated that she apologizes, but the budget process provided by the State of Indiana is wonky.

Councilor Burch stated that the website no longer has the detailed department budgets. She stated that this means she no longer has access to what percentage is coming from what fund. She asked if it can be put back on the website until this is approved.

Clerk-Treasurer Rhodes stated that Councilor Burch is inquiring about the preliminary budget requests and the supporting detail that was available for the budget workshops. She stated that with the filing of the budget that was taken down. If the Council wishes to have the preliminary information reloaded we can. However, during the process there were a number of changes. The detailed department budgets are filed on Gateway. Every line item for every department is part of Form 1. However, the detail justification explanation, which was part of the budget presentations, are not there. If it is the desire of the Council to reload that, we can do that, but we do have the budget form that give the detail in summary budget. It does not give the budget history in the presentation documents.

Councilor Burch stated that she does not need it reloaded; she will look on Gateway.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 26-15 passed on first reading.

Ordinance No. 27-15 An Ordinance To Fix The Salaries Of Appointed Officers, Employees, And Members Of The Police And Fire Departments Of The City Of West Lafayette, Indiana, For The Year 2016. (Submitted by Mayor John Dennis)

Mayor Dennis read Ordinance No. 27-15 by title only. He stated that this is the salary ordinance which will reflect the 2% pay increase.

COMMON COUNCIL MEETING MINUTES, August 3, 2015, CONTINUED

Councilor Keen moved for passage of Ordinance No. 27-15 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

There was no discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 27-15 passed on first reading.

Ordinance No. 28-15 An Ordinance To Fix The 2016 Wastewater Treatment Utility Salary Schedule As Submitted By The Board Of Public Works And Safety For Approval By The Common Council Of The City Of West Lafayette, Indiana (Presented by the Board of Public Works and Safety)

Mayor Dennis read Ordinance No. 28-15 by title only. He stated that this again reflects the 2% raise.

Councilor Keen moved for passage of Ordinance No. 28-15 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

There was no discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 28-15 passed on first reading.

Ordinance No. 29-15 An Ordinance To Set The Salaries Of The Elected Officials, City Of West Lafayette, Indiana, For The Year 2016 (Prepared by the Clerk-Treasurer)

Mayor Dennis read Ordinance No. 29-15 by title only.

Councilor Keen moved for passage of Ordinance No. 29-15 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Burch.

Clerk-Treasurer Rhodes noted that the reason why the position of Clerk-Treasurer is still appears is that our salary ordinance for each year ends during December. So, the final pay rolls into the next year. The position has to be on the salary ordinance to pay the salary through the end of December.

There was no further discussion.

Clerk-Treasurer Rhodes called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
DeBoer	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			

Clerk-Treasurer Rhodes stated that the vote was 7 AYES and 0 NAYS.

Mayor Dennis announced that Ordinance No. 29-15 passed on first reading.

COMMUNICATIONS

► Councilor DeBoer stated that there are four months left in the year, and he what the timeline is on the ordinance to empower the new officials beginning in 2016. He confirmed for City Attorney Burns that he is referring to the ordinance for changing to the Class 2 City.

City Attorney Burns responded that it is in review by department heads and will be filed for next month.

► Councilor recommended that people try Another Broken Egg Cage inside Wang Hall after he took visiting family members there.

► Councilor Hunt stated that some new public art was dedicated at Riverfest a few weeks ago, called "Tapawingo Travelogue," and she shared a picture.

► APC Executive Director Fahey, regarding the switch to a Class 2 City, stated that about a year ago she asked the Plan Commission, the County Commissioners, and Mayors Dennis and Roswarski to have a discussion about the membership on the APC. She stated that when West Lafayette was a Class 3 City and Lafayette was a Class 2 City, Lafayette had two councilors and two citizens representing Lafayette. West Lafayette has had one Councilor and one citizen. With West Lafayette becoming a Class 2 City it seemed that West Lafayette membership on the APC should change to be similar to Lafayette. The discussion included if one should be reduced from Lafayette and one increased from West Lafayette, or to keep Lafayette the same and increase West Lafayette. The decision at that point was that the APC should become a 17-member Commission rather than 15 members. It would increase West Lafayette's membership by one Councilor and one citizen to match Lafayette. She stated that in order to accomplish

that under Indiana law, Plan Commissions are able to create their own form of representation by ordinance adopted by all member jurisdictions. There are six member jurisdictions—Lafayette, West Lafayette, Tippecanoe County, Dayton, Battleground, and Clarks Hill. She stated that she has asked APC Attorney Jay Seeger to prepare that ordinance that each jurisdiction would pass, which would set the new membership on the APC at 17. All six jurisdictions will have to pass an identical ordinance to change the makeup of the APC.

Councilor DeBoer stated that it is too bad that we just passed the legislation that pays out the APC representative. He asked if we will have to amend that to have two of them on the Council.

Clerk-Treasurer Rhodes stated that it is a budget issue. She stated that soon she will need to load the budget for public inspection, and after that point it cannot be increased. It can be adjusted by additional appropriation in January, and the Council will probably want to make several budget adjustments as new positions go live. However, if the Council wishes to make a change, tonight would be a good night to do it. In response to a question from City Attorney Burns, Clerk-Treasurer Rhodes explained that we would increase the line item for personnel costs for the Council and we would have to quickly calculate payroll taxes, etc. She suggested that for this amount of money it would be easy without changing the General Fund budget to reduce one line item and increase another, as we are doing tonight. It will have neutral approach to the budget and there is sufficient budget to pay an additional representative.

CITIZEN COMMENTS

► Jan Myers (1909 Indian Trail Drive) stated that K-9 Rico was probably involved in at least one arrest or situation at least once a week, and that means more to her than just saying 300 over 7.5 years. She expressed appreciation that there was concern about the sorority house, and was pleased to see that we are finally putting parking under buildings instead of a wasteland of asphalt and the water runoff it takes. Ms. Myers spoke of how she would like to see the City create a small nursery using the free trees and seedlings distributed by the State nurseries. She spoke of it how it could be connected to the schools and Project Learning Tree so that students learn about caring for the trees over several years. Ms. Myers stated that speaking of historic things, she understands the house at 1800 Salisbury Street may be torn down. It is very old, but appears to her to be very healthy. She would like to see at least the wood saved, and urged everyone to think about some of the history that is in some of our trees.

► Zachary Baiel (124 Connolly Street) asked how much in taxes can be expected from Wang Hall now that the café is there. He stated that in regards to APC Executive Director Fahey's comments, he encourages the City to keep a strong citizen and Councilor ratio on the APC given its recommendation power. He expressed his thanks to the Council, Mayor Dennis, and Director Buck for helping him and his neighbors in New Chauncey with Vectren to move towards repairing the damage along the streets due to the gas line work. He spoke of his concerns regarding up-zoning changes in New Chauncey due to the from-based code after reading comments from APC Assistant Director Ryan O'Gara in a July 15 *Journal & Courier* article. Mr. Baiel stated that the City of Lafayette recently launched a new website and the interface is easy to navigate. It includes a large transparency button at the top, providing great access to documents and supplemental information. He stated that he encourages the Council and the City's IT Department to put a City website update at the top of priority and projects.

Mayor Dennis stated that we are already on that.

Mr. Baiel stated that he would like to see the audio or supplemental information for the Joint Board meetings on the website as other boards and commissions have.

COMMON COUNCIL MEETING MINUTES, August 3, 2015, CONTINUED

► Ms. Myers stated that she has noticed that where Vectren has poured concrete, they have left behind piles between the sidewalk and curb that has not been cleaned up.

ADJOURNMENT

There being no further business at this time, Councilor Burch moved for adjournment, and Mayor Dennis adjourned the meeting the time being 8:15 p.m.